



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

Address: COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, Virginia 22313-1450

www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/620,334	07/17/2003	Xing-Zhi Lin	LINX3001/BEU	8653
23364 7590 04/17/2008 BACON & THOMAS, PLLC 625 SLATERS LANE FOURTH FLOOR ALEXANDRIA, VA 22314				
EXAMINER				
NGUYEN, KIMHUNG T				
ART UNIT		PAPER NUMBER		
2629				
MAIL DATE		DELIVERY MODE		
04/17/2008		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/620,334

Applicant(s)

LIN, XING-ZHI

Examiner

KIMNHUNG NGUYEN

Art Unit

2629

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 January 2008.
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6, 8 and 9 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-6, 8 and 9 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1448 or PTO-600) Paper No(s)/Mail Date _____
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date _____
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(c), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(c) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 1/24/08 has been entered.
2. This Application has been examined. The claims 1-6, 8 and 9 are pending. The examination results are as following.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-6, 8 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Philyaw (US 7,089,291) in view of Gudgel et al. (US 2002/0058538).

Regarding claim 1, Philyaw discloses in figs. 37-38, a wireless input device body (cell phone 3702), having an opening that form an openings of said wireless input device (see cavity 3904) and a power supply module (removable battery pack 3700) arranged to carry at least one battery (3906); wherein the power-supply module (3700) is arranged with said battery (3906), said power-supply module (removable battery pack 3700) having a cover whose outline (3720) matches an outline of the body so as to form part of a housing of the wireless input device when

the power-supply module is inserted into said opening (see fig. 39, see col. 32, lines 4-20). However, Philyaw does not disclose that wherein the power-supply module is arranged to be inserted together with said battery into said opening of said wireless input device in order to supply power from said battery to said wireless input device. Gudgel et al. disclose in figs. 1, 2 and 4, a wireless pointing device (100, because the portable computing device 100 is kind of a wireless pointing device) comprising a power-supply module (back pack 20) arranged to be inserted together with battery (102) into an inherent opening of the wireless input device (100) because battery 102 is removable attached to the wireless should be included a hole, cavity or groove to attach to the body of the computer (see 0028, 0029).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to implement the power-supply module is arranged to be inserted together with said battery into said opening of said wireless input device in order to supply power from said battery to said wireless input device as taught by Gudgel et al. into the wireless input device of Philyaw for producing the claimed invention because this would provide a electrical power for operation of the portable computing device (see 0028).

Regarding claim 2, Philyaw discloses further the body (3717) has a circuit board (3918), fig. 39), and at least a metal plate extending from the circuit board for electrically contacting the batteries (see col. 31, lines 41-54).

Regarding claim 3, Philyaw discloses further, the power-supply module has a carrier for containing the battery; each of side of the carrier having a flange, and correspondingly each side of the opening having a groove (3804) for receiving flange (see figs. 37, 38).

Regarding claim 4, Philyaw discloses further the power supply module is fixed to the body b a fixing device (figs. 37, 38).

Regarding claim 5, Philyaw discloses further the fixing device includes a hook (fig. 38) located on the body, and a recess correspondingly located on the power-supplying module (figs. 37, 38).

Regarding claim 6, Philywa discloses further, wherein the wireless input device is a computer mouse or track ball (see figs. 25, 26, see col. 24, lines 23-30).

Regarding claim 8, Philywa discloses further, wherein the wireless input device could be a game controller because the wireless input device (cell phone) can be apparent that external shell of the reader can be contoured to resemble other animals, e.g., dog, bird, reptiles, fish, etc. or other objects including automobile, trucks, train, trains, aircraft (see col. 29, lines 47-52).

Regarding claim 9, Philywa discloses further wherein the power-supply module (3700) has a carrier for containing the battery, and wherein the battery is replaceable by on the carrier by drawing out the power-supply module from the opening (3904) as if pulling out a drawer (because Philywa discloses the battery pack 3700 can be removable therefore the battery pack can be pulled out a drawer of the cellphone 3702, see col. 31, lines 36-40).

Correspondence

Any inquiry concerning this communication or earlier communications from the examiner should be directed to KIMNHUNG NGUYEN whose telephone number is (571)272-7698. The examiner can normally be reached on MON-FRI, FROM 8:30 AM-5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Hjerpe can be reached on (571) 272-7691. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Kimnhung Nguyen/
Examiner, Art Unit 2629
April 13, 2008

/Richard Hjerpe/
Supervisory Patent Examiner, Art Unit 2629